

**WEINER  
BRODSKY  
SIDMAN  
KIDER PC**

227167



May 27, 2010

**BY HAND**

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, DC 20423-0001

**ENTERED  
Office of Proceedings**

**MAY 27 2010**

**Part of  
Public Record**

Re: Finance Docket No. 35348, CSX Transportation, Inc. and Delaware and Hudson Railway Company, Inc. – Joint Use Agreement

Dear Ms. Brown:

New York & Atlantic Railway Company ("NYA") hereby files its Notice of Intent to Participate as a party of record in the above-referenced proceeding. NYA requests that Weiner Brodsky Sidman Kider PC be added to the service list in this proceeding as NYA's official representative. Accordingly, all filings, decisions and notices in connection with this proceeding should be served upon:

Mark H. Sidman  
Weiner Brodsky Sidman Kider PC  
1300 19<sup>th</sup> Street, NW  
Fifth Floor  
Washington, DC 20036  
[sidman@wbsk.com](mailto:sidman@wbsk.com)

**WEINER  
BRODSKY  
SIDMAN  
KIDER PC**

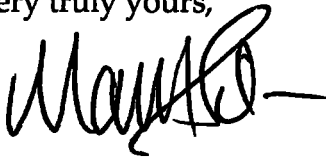
Cynthia T. Brown

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May 27, 2010

Enclosed are 10 copies of this letter. Please acknowledge receipt of this letter by date-stamping the acknowledgment copy and returning it to our messenger.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark H. Sidman', with a long horizontal stroke extending to the right.

Mark H. Sidman

Enclosures

## CERTIFICATE OF SERVICE

I hereby certify that on this 27<sup>th</sup> of May 2010, the foregoing Notice of Intent to Participate is being served by first-class mail, postage prepaid, on the following:

Terence M. Hynes  
Jeffrey S. Berlin  
Matthew J. Warren  
Sidley Austin LLP  
1501 K Street N.W.  
Washington, DC 20005

Secretary of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
Law Offices of Louis E. Gitomer, LLC  
600 Baltimore Avenue, Suite 301  
Towson, Maryland 21204

Attorney General of the United States  
c/o Assistant Attorney General  
Antitrust Division, Room 3109  
Department of Justice  
Washington, DC 20530

A handwritten signature in black ink, appearing to read 'Mark H. Sidman', is written over a horizontal line.

Mark H. Sidman